

IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF WASHINGTON

UNIVERSAL LIFE CHURCH
MONASTERY STOREHOUSE, a
Washington non-profit corporation,
Plaintiff,

v.

MAURICE KING, LEWIS KING,
GLEN YOSHIOKA, DYLAN WALL,
SARA WHITE, and AMERICAN
MARRIAGE MINISTRIES, a Washington
non-profit corporation,

Defendants

AMERICAN MARRIAGE MINISTRIES, a
Washington non-profit corporation,
Counter-Claimant/
Third-Party Plaintiff,

v.

UNIVERSAL LIFE CHURCH
MONASTERY STOREHOUSE, a
Washington non-profit corporation; and
UNIVERSAL LIFE CHURCH
MONASTERY STOREHOUSE, INC., a
Washington non-profit corporation,
Counter-Defendants/
Third-Party Defendants.

Case No. 2:19-CV-00301-RSL

**DECLARATION OF SHEEBA
ROBERTS IN SUPPORT OF
DEFENDANT/COUNTER-CLAIMANT
AMERICAN MARRIAGE MINISTRIES'
MOTION TO COMPEL DEPOSITION
TESTIMONY FROM MICROSOFT**

The Honorable Robert S. Lasnik

NOTING DATE: January 22, 2020

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**DECLARATION OF SHEEBA ROBERTS IN SUPPORT OF
DEFENDANT/COUNTER-CLAIMANT AMERICAN MARRIAGE
MINISTRIES' MOTION TO COMPEL DEPOSITION TESTIMONY
FROM MICROSOFT - 1
Case No. 2:19-CV-00301-RSL**

Betts
Patterson
Mines
One Convention Place
Suite 1400
701 Pike Street
Seattle, Washington 98101-3927
(206) 292-9988

1 I, Sheeba Roberts, declare and state as follows:

2 1. I am an attorney at the law firm Betts, Patterson and Mines, P.S. and am one of
3 the attorneys for Defendant/Counter-Claimant American Marriage Ministries (“AMM”). I make
4 this declaration based on my personal knowledge and in support of AMM’s Motion to Compel
5 Deposition Testimony from Microsoft.

6 2. Attached as **Exhibit 1** is a true and correct copy of AMM’s Subpoena Duces
7 Tecum and Subpoena for Deposition Testimony to Microsoft, served on or about April 3, 2020.

8 3. Attached as **Exhibit 2** is a true and correct copy of email correspondence dated
9 August 13, 2020, through September 8, 2020, with Microsoft following up on AMM’s Subpoena
10 Duces Tecum.

11 4. Attached as **Exhibit 3** is a true and correct copy of email correspondence dated
12 September 10, 2020, from Microsoft producing responsive records from ULC’s Bing account.

13 5. Attached as **Exhibit 4** is a true and correct copy of email correspondence from
14 December 14, 2020, through December 18, 2020, with Microsoft following up on AMM’s
15 Subpoena for Deposition and scheduling a deposition of Microsoft.

16 6. Attached as **Exhibit 5** is a true and correct copy of email correspondence dated
17 December 21, 2020, from Microsoft notifying AMM’s counsel that Microsoft had retained
18 outside counsel.

19 7. On December 23, 2020, I conferred with counsel for Microsoft regarding AMM’s
20 subpoena for deposition. Counsel for Microsoft took the position that a deposition of Microsoft
21 would be unduly burdensome and expensive and that deposition testimony regarding the process
22 for pulling responsive documents to AMM’s subpoena, an explanation of the information
23 contained in those documents were beyond the scope of AMM’s subpoena for deposition.
24 Microsoft offered to provide a declaration in lieu of deposition.

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**DECLARATION OF SHEEBA ROBERTS IN SUPPORT OF
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1 8. Attached as **Exhibit 6** is a true and correct copy of email correspondence from
2 December 23, 2020, through December 30, 2020, with Microsoft regarding AMM's Subpoena
3 for Deposition.

4 **I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE**
5 **UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.**

6 DATED this 7th day of January 2021.

7 BETTS, PATTERSON & MINES, P.S.

8
9 By: /s/ *Sheeba Roberts*
10 Sheeba Roberts, *Pro Hac Vice*

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DECLARATION OF SHEEBA ROBERTS IN SUPPORT OF
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CERTIFICATE OF SERVICE

I hereby certify that on January 7, 2021, the foregoing **DECLARATION OF SHEEBA ROBERTS IN SUPPORT OF AMERICAN MARRIAGE MINISTRIES' MOTION TO COMPEL DEPOSITION TESTIMONY FROM MICROSOFT** was electronically filed with U.S. District Court for the Western District of Washington through the CM/ECF eFiling system.

I further certify that on January 7, 2021, I served a copy of the foregoing on:

Michael P. Matesky, II Matesky Law PLLC 4500 9 th Ave., NE, Suite 300 Seattle, WA 98105 Fax: 206-701-0332 Email: mike@mateskylaw.com litigation@mateskylaw.com <i>Of Attorneys for Plaintiff</i>	Michael B. Galletch Puget Sound Business & Litigation PLLC 411 University Street, Suite 1200 Seattle, WA 98101 Fax: --- Email: mike@psbizlit.com <i>Of Attorneys for Plaintiff</i>
Kelly Ann Mennemeier Nancy V. Stephens Benjamin J. Hodges Foster Garvey P.C. 1111 Third Ave., Suite 3000 Seattle, WA 98101-3299 Fax: 206-447-9700 Email: Kelly.mennemeier@foster.com Nancy.stephens@foster.com Ben.hodges@foster.com <i>Of Attorneys for American Marriage Ministries</i>	

by mailing to each of the foregoing a copy thereof, placed in a sealed envelope addressed as listed above and deposited in the United States mail at Portland, Oregon, and that postage thereon was fully prepaid.

by facsimile transmission to the number shown above.

X by additional e-service through the E-Filing system, if party was registered.

X by courtesy email to the email addresses shown above.

/s/ Carrie J. Cook

Carrie J. Cook, CP

Legal Assistant/Certified Paralegal

**DECLARATION OF SHEEBA ROBERTS IN SUPPORT OF
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